IN THE HIGH COURT OF UTTARAKHAND
AT NAINITAL

Writ Petition No. 800 (SS) of 2007

Geeta Chand,
W/o Sri B.B. Thakur,
Aged about 29 years,
R / o Village – Chandani,
Banbasa, District – Champawat. **……Petitioner.**

Versus

1. State of Uttarakhand through Secretary, Education, Uttarakhand, Dehradun.
2. Additional Director, State Education Research & Training Centre, Narendra Nagar, Tehri Garhwal.
3. District Resourse Centre, Lohaghat, Champawat.

……Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri D.S. Patni and Sri Anil Dabral, learned counsel for the petitioner and Sri Ashish Joshi, learned Brief Holder for State of Uttarakhand on behalf of respondents.

Supplementary affidavit filed by learned counsel for the petitioner is taken on record.

Learned counsel for both the parties are agree to decide the writ petition at its admission stage itself.

By means of this writ petition, the petitioner has prayed for the following reliefs:

a. Issue a writ order or direction in the nature of Mandamus directing the respondents to permit the petitioner to participate in the counseling which is being held in between 09.07.2007 to 15.07.2007 and allow the petitioner to undergo Special BTC Training at District Resource Centre Lohaghat, Champawat.

b. issue any other writ, order or direction which this Hon'ble court may deem fit and proper in the facts and circumstances of the case.

c. award the cost of the writ petition to the petitioner.

Candidature of the petitioner was rejected by the respondents for Special BTC Training course on the ground that Permanent Resident Certificate issued by SDM, Poornagiri, Tanakpur, District – Champawat on 08.05.2006 has been cancelled by him on 12.09.2006.

Petitioner has filed supplementary affidavit wherein she has stated that the said order dated 12.09.2006 was challenged by petitioner before this court and this court has been pleased to allow the writ petition with a direction to SDM, Poornagiri to pass fresh order relating to Permanent Resident to the petitioner in accordance with law and order dated 12.09.2006 shall be kept in abeyance till then.

Consequently, I direct the respondents to keep vacant one seat in Special BTC Training Course, District – Champawat, till 31.08.2007 and in the meantime, if the petitioner produce permanent resident certificate issued by SDM, Poornagiri, her case shall be considered by the respondents for Special BTC Training Course on merit and if petitioner is in merit, she may be given admission in Special BTC Training Course.

With this direction, the writ petition as well as interim relief application stands disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 09, 2007
SKSharma